

1           **TIMOTHY H. BELLAS**  
2        Attorney-at-Law  
3        Bank of Hawaii Bldg., Suite 203  
4        P.O. Box 502845  
5        Saipan, MP 96950  
6        Telephone: (670) 323-2115; Fax 323-2116

5 ATTORNEY FOR: Defendant Yang

6

7

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS**

10

18

I, TIMOTHY H. BELLAS, declare the following:

19

20           1. I am licensed to practice before this Court; I am over the age of majority and  
21 competent to testify as to the matters contained herein.

22

2. I am the Court appointed attorney for the above named Defendant.

23

3. On June 5<sup>th</sup>, 2007 I sent a letter, via fax transmission to the U.S. Attorney's

1 Office requesting discovery in the above matter by June 8<sup>th</sup>, 2007.

2 4. I received no communication in response to that letter.

3 5. On June 11<sup>th</sup>, 2007 I telephoned AUSA O'Malley who advised that the reason for  
4 the failure to provide discovery is that there are several defendants whose cases are being  
5 processed concurrently and it is likely that I will receive discovery no later than June 13<sup>th</sup>, 2007.

6 6. However, the current deadline for filing pre trial motions, as set by the Court in  
7 its May 31<sup>st</sup>, 2007 Order, is June 14<sup>th</sup>, 2007.

9 7. Therefore, there will be inadequate time for counsel to confer with his client  
10 regarding the discovery.

11 8. There will also be inadequate time to prepare and file any pre trial motions  
12 counsel deems appropriate, if the discovery is provided on the eve of the day that the motions  
13 must be filed.

15 9. Wherefore the parties, through their respective attorneys, have agreed that the  
16 deadline to file such motions should be extended for one week to June 21<sup>st</sup>, 2007.

17 I declare under penalty of perjury that the foregoing statements are true and correct to the  
18 best of my knowledge and belief and that this Declaration was executed on the \_\_\_\_ day June,  
19 2007 on the island of Saipan, CNMI.

20 \_\_\_\_\_/s/  
21 Timothy H. Bellas, Declarant

22

23

24

25

26

27

28